

SUE BROKERS FOR TRUST FUND

GOODY & CO. ASKED TO AC-  
COUNT FOR HART ESTATE MONEY

Appellate Court Sustains Defendant's De-  
murrer—More Than \$750,000 In-  
volved—Edward R. Whitney as Re-  
feree Found Against Executor Nestell.

William H. Goody and Charles T. Kiborne of the Stock Exchange firm of W. H. Goody & Co. were defendants in a suit before the Appellate Division of the Supreme Court yesterday. It is alleged that the firm knowingly accepted more than \$750,000 of trust funds of the estate of Joseph B. Hart from Joseph J. Nestell, executor of the estate, and permitted him to speculate through the firm for the benefit of both himself and the firm.

The plaintiffs in the action are Charles H. Hart, a public accountant at 25 Broad street; Mrs. Irene N. Collard and two daughters of Joseph B. Hart, who was a wealthy Harlem real estate broker and who lived at 130 West 42nd street. They are suing as the heirs to the principal of the trust fund, which embraced all the Hart property, while Charles H. Hart and Mrs. Collard are suing also as the executors of the estate of their mother, Emma S. Hart, who died in 1907.

The complaint states that Joseph B. Hart died in 1878 and named his wife, George W. Hart and Nestell, who was his brother-in-law, as executors. They were not required to give bonds, and in case Nestell accepted the appointment as executor he was to get \$1,000 in lieu of commissions. George W. Hart died in 1896 and never had much to do with the estate, and Mrs. Hart also was not active in the management.

The complaint says that between 1878 and 1907 the trust was always under the active management of Nestell. It is further alleged that between December, 1878 and July, 1908, when Nestell was removed as an executor, he converted and misappropriated the trust funds and delivered them to the firm of W. H. Goody & Co., which was formed in 1878. The funds were then used for the benefit of Nestell and the firm, the complaint states, and Goody and Kiborne aided and abetted in the conversion and wrongful investment.

Attached to the complaint is a list of the dates on which, it is alleged, various amounts were paid to the firm out of the trust estate by Nestell, the payments beginning in 1870. The largest entries are \$100,000 and \$75,000, both on February 2, 1898, and the total list is close to \$750,000. The plaintiffs say that the executor gave the firm other money and assets of the estate, but they have no knowledge of the amount, they say. The funds were "wrongfully used in the purchase of industrial and railroad stock and other securities and property now authorized for the investment of trust funds."

The plaintiffs say they had no knowledge of Nestell's wrongful act until 1907, after the death of their mother, when they became entitled to the principal of the trust fund. They then demanded an accounting from the defendants, except on August 18, 1908, when the defendants delivered to them the following securities:

Nine hundred and forty Toledo and coupon, 200 shares Detroit, Ironston first preferred, 100 shares Detroit, 1,000 shares Ironston, second preferred, 1,000 shares Detroit, Toledo and Ironston 4 1/2, \$10,000 par, Ironston notes, \$10,000 par, American Tobacco 5 per cent, 200 shares Peoples Gas common and 110 shares Twin City Rapid Transit.

The Detroit, Toledo and Ironston shares are of doubtful value now, but the plaintiffs say that in order to get the securities they had to pay \$35,407 to Goody & Co. They demand that the firm give up all securities purchased with the assets of the estate, and account for all cash, stocks, bonds and other assets sold or otherwise disposed of. They are also asked to account for all profits and commission on the purchase or sale of stock with the funds of the estate.

The defendants demurred to the complaint on the ground that it is defective in not joining Nestell as a party and because three of the plaintiffs are suing for the principal of the fund and two of them as executors of Mrs. Hart's estate, and the Appellate Division upheld the demurrer, declaring that the suit for the accounting should be brought by the successor to Nestell when he is appointed.

The report of Supreme Court Justice Edward R. Whitney, who was appointed referee before he went on the bench in an action in the Surrogate's Court for an accounting from Nestell, has filed his report, and it is expected that on May 31 the Surrogate will approve it and direct Nestell to return the funds the referee has found to be due the estate. Nestell now is in California. His counsel declared he was kept out of the jurisdiction by illness.

The referee finds that when Nestell was removed as executor he turned over only \$100,000 out of the total principal of the estate amounting to \$750,000, leaving \$650,000 still unaccounted for. The referee estimates the income during the thirty years it was in Nestell's hands at \$750,000, of which Nestell is credited with only \$227,000, leaving \$523,000 unaccounted for and making the total due the heirs \$1,173,000.

The report states that prior to September 21, 1907, Nestell took from the funds of the estate \$16,004 by means of thirty checks drawn by himself as executor. He himself, individually, the referee estimates the income during the thirty years it was in Nestell's hands at \$750,000, of which Nestell is credited with only \$227,000, leaving \$523,000 unaccounted for and making the total due the heirs \$1,173,000.

Between November 3, 1878, and November 1906, Nestell drew a total of \$72,167 as executor to the order of W. H. Goody & Co., Pearl & Co., or the Eleventh Street Bank, the report says.

After sufficient notice that he was using the funds in his dealings and gave a list of the transactions had by Nestell from 1878 to 1906, the referee says that Nestell was negotiating on margin in 1897 and 1898, when the account was for securities amounting to \$120,000, which was transferred to him.

AEROPLANE HITS PILLAR

Hauvette-Michelin Fatally Injured at  
Close of Lyons Aviation Meet.

Special Cable Dispatch to THE SUN.  
LYONS, May 13.—At 7 o'clock this evening after the close of the aviation meeting M. Hauvette-Michelin went up in an Antoinette monoplane. While soaring he passed the pylons in the center of the aerodrome. As he returned he made a straight for the pylons, which for some unexplained reason he was unable to avoid and he struck it with full force.

The aeroplane, which was a new machine, was cut in two. The pylons, which were about twenty-five feet high, snapped like a reed and fell on Michelin striking him on the head. Other aviators, including Paulhan, rushed to extricate him. Doctors arrived promptly. Michelin was insensible. A priest arrived and administered extreme unction to him. An automobile then conveyed him to a hospital, where trepanning was performed, but the operation was not successful, and Michelin died at 6:15.

He was a pupil of Latham and was only 23 years old. He won fame by his performances at the Heliopolis, Egypt, aviation meeting. He was the third son of M. Hauvette, brother-in-law of Col. Michelin, commanding an artillery regiment at Clermont-Ferrand.

The dead aviator was a nephew of Michelin, the well known tire-maker. The pylon was one of the standards marking the course. Michelin's spine was broken and his skull fractured.

BOOKWORM TURNS.

But Is Arrested for Carrying a Pistol  
After Receiving Black Hand Threats.

Prof. Politi Ferdinando, a lover of books and old prints, who breaks his book every time he makes a sale in the stall at 306 East Thirtieth street, rubbed his specs with a handkerchief on the bridge of the Tombs court yesterday and tried to explain to Magistrate Steiner how he happened to be carrying a pistol. Detective Murray of the Central Office had frisked the old man in the street and found the gun.

"I was a professor for twenty years in the schools of Bront, Province of Catania," said he.

"Here is a certificate of my work under the seal of the Commissioner of Instruction."

The parchment was dated July 6, 1906, and was abundantly authenticated with seals. It said that Prof. Ferdinando resigned his position voluntarily to go to America.

"And is this a part of the academic habit in Italy, professor?" asked the Magistrate, tiring with the pistol.

"Well, your Honor, I protect myself, even though the worm that turns be a bookworm," replied the bibliophile.

He showed the Magistrate a letter with a death's head for signature. It was a demand for \$500. The envelope was postmarked May 12, 1909.

"This is only one of four I have received," he said. "Two of them threatened to blow up my shop, and I moved twice on account of the threats."

"But you have to get authority if you want to carry a gun," said Magistrate Steiner. "I must hold you for Special Sessions."

COMET PARTY.

Dr. Grace Entertains Some Friends on  
the Roof of the Gotham.

The season of Halley's comet parties was organized yesterday morning on the roof of the Hotel Gotham and is described as having been a brilliant success.

Dr. Ralph M. Grace, a wealthy Chicagoan, was the host. Dr. Grace is interested in astronomy, and all indications being for a clear night he decided to take some friends up to the roof of the Gotham at an hour when it would be possible to view the comet, and he hit upon the idea of entertaining them while the comet approached. A florist was called upon to transform a portion of the roof into a bower of roses and snail, the electrician of the hotel was told to go the limit in the way of electrical decorations, and an elaborate supper or breakfast, according to whichever way you begin the day, was served. There were lights of many colors and Japanese lanterns. Dr. Grace said it represented a scene in Mars.

The meal was served at half-past 2 o'clock and each guest was provided with a telescope or a large pair of field glasses. There were about ten in the party, among them being Count and Countess von Lindberg of Brussels, Mr. and Mrs. Frank M. Holt of London and Capt. Gilbert M. Cotton.

The comet did not keep them waiting long, for it hovered in sight at 2:45, schedule time, and everybody got a good look at it. The party lasted until half past 4.

The Hotel Astor is another hotel that has noticed the coming of the comet. Something like fifty persons yesterday morning went up to the roof garden to see the visitor, and this morning coffee and rolls will be served to the early risers and late slayers.

The hotel management is furnishing night binoculars for the guests.

NEW BAY STATE PRIMARY LAW.

Ten Per Cent. of District Voters May Petition for Preliminary Election.

ROSELAND, May 13.—Gov. Draper this afternoon signed the so-called district nominations bill, which provides that the question of direct nominations may be submitted to the voters in Senatorial and Representative districts upon petition of 10 per cent. of the voters in the district.

It makes no provision for the direct nomination of State officials, Congressmen or members of political committees. The Governor also signed the taxicab bill. It gives taxicab drivers the right to prosecute persons who refuse to pay their fare. Under a Supreme Court ruling chauffeurs could not prosecute on the old law because it was enacted before autos were conceived.

LAWYER COMITS SUICIDE.

First Wrote Long Letter to His Wife,  
Then When He Was Separated.

MINNEAPOLIS, May 13.—Driven to despair by separation from his wife, which occurred several years ago, J. R. Corrigan, an attorney and former Judge of the Probate Court, took his life today while talking with Dr. Charles H. Hunter in the office of the latter.

Judge Corrigan wrote a long letter to his wife, addressed it and placed it in his pocket. After leaving his office he walked into an inner office where Dr. Hunter was engaged at the time and said: "Good morning, doctor."

Before the physician could restrain him the Judge shot himself.

EX-GOV. ROLLINS A SMUGGLER

ARRESTED FOR FAILURE TO  
DECLARE DUTIABLE GOODS.

Wife and Son Held on Name Complaint—  
Had Two Chances to Declare and  
Says He Was "A Fool to Try It"—Un-  
derlined Articles Valued at \$1,000.

Former Governor Frank West Rollins of New Hampshire and his son, Douglas Rollins, were arrested yesterday morning when they arrived here on the steamship Lusitania from England on warrants issued by United States Commissioner Shields. The complaint attached to the warrants and sworn to by Customs Inspector Matthew P. Cassidy charges the former Governor, his son and his wife, Catharine Rollins, with conspiracy to defraud the Government by smuggling in dutiable goods.

After the Lusitania had docked and the examination of the baggage was begun it was found that the Rollins family had made a declaration containing merely one fur jacket valued at \$500. Inspector Cassidy, however, found nine trunks belonging to them, and in these trunks he found dutiable goods valued at \$1,000 consisting of men's and women's wearing apparel, souvenirs, a watch chain, a pair of cuff buttons, two brooches and three rings.

Acting Deputy Surveyor Peter J. Simmons, who had charge of the dock, took Mr. Rollins, his wife and son to the Surveyor's office, where they had a brief preliminary hearing before Deputy Surveyor Raskiewicz. The Deputy Surveyor told Mr. Rollins that he could readily understand that his failure to declare the articles found might be an oversight on his part, and that he might not be familiar with the customs law. In that case he told him to think the matter over and see if he didn't have articles that he wanted to add to his declaration.

Mr. Rollins went back to the pier and consulted with his wife and son. In a few minutes he returned and told the Deputy Surveyor that he had inadvertently omitted a necklace, bracelet, three gloves, two suits of clothes and sundries.

"Have you inquired of your wife if there is any jewelry she has failed to declare?" asked Mr. Raskiewicz.

"Yes, and the declaration is now complete," replied the ex-Governor.

Mrs. Rollins and Douglas Rollins were requested to go to the Deputy Surveyor's office and there all three were searched. On them were found articles of jewelry of minor value which had not been declared. Among other things were several match boxes found on Douglas Rollins.

Mr. Rollins later admitted to Deputy Surveyor Raskiewicz that he had omitted these articles from his declaration, and according to acting Deputy Surveyor Simmons Mr. Rollins said:

"I was a fool to try it." He is said to have also admitted that he had made a false declaration on the ship. After this statement had been made C. C. Wall, a special agent of the Treasury Department, formally placed all three of the accused under arrest. Mrs. Rollins, who is an invalid and whom the excitement of the affair had upset, was allowed to go to the Hotel Belmont, but her husband and son were immediately taken before United States Commissioner Shields in the Federal Building.

When arrested neither the former Governor nor his son would make any statement. They were held in \$2,000 bail each, which was later furnished by the American Bonding Company of Baltimore. Mr. West Rollins and his son first appeared in Commissioner Shields's office they were without counsel, but later a member of the law firm of Rollins & Rollins of 32 Nassau street appeared for them. The principals of that law firm are cousins of the former Governor. Neither the accused nor the lawyer would make any statement.

Mrs. Rollins will be arraigned before Commissioner Shields today. On her person when searched by Deputy Surveyor Raskiewicz's office was found a gold watch chain and a pair of cuff buttons. These were included in the list of undeclared articles so far discovered and valued at \$1,000 by Appraiser McKenzie.

Both Mr. Rollins and his son took their predicament coolly. Their examination before Commissioner Shields was set for next Friday afternoon at 2 o'clock. The accused men were in Commissioner Shields's office for nearly two hours before a representative of the American Bonding Company appeared to bail them out. This done, they at once rejoined Mrs. Rollins at the Hotel Belmont.

The trunks of the Rollins party will be taken to the Appraiser's stores this morning, where they will all be opened and their contents examined.

Former Governor Rollins of New Hampshire was born at Concord, N. H., February 24, 1860. He is the son of former United States Senator Edward H. Rollins of that State. He is a graduate of the Massachusetts Institute of Technology and has been a member and president of the New Hampshire Senate. He was Governor of New Hampshire in 1890-1901, and is at present a banker in Boston with offices at 10 Milk street. His residence, however, is still in Concord. In 1893 he was married to Catharine W. Pecker. In 1897 he published "The Ring in the Cliff" and subsequently wrote "The Twin Runners," "Break-o'-Day Tales," "The Lady of the Violet," "What Can a Young Man Do?" and "Old Home Week Speeches."

In New England Mr. Rollins is well known as the founder of the Old Home Week celebration.

The offense with which former Governor Rollins is charged is a violation of section 37 of the United States Penal Code. The penalty is a fine of not more than \$10,000 or imprisonment of not more than two years or both.

CAUGHT BABY ON THE FLY.

Modest Man Haves Little Fellow Who Had  
Tumbled Out of High Window.

PHILADELPHIA, May 13.—James Dugan, 2 years old, tumbled out of the second story window of a department store in Market street today. He tumbled 20 feet and was just about to strike the pavement when a man made a flying leap and caught him in his arms as a player would catch a football. James is none the worse for his thrilling experience nor is the man who saved him.

The stranger modestly declined to tell his name.

INDIANS MAKING TROUBLE.

Troops Ordered Out by Governor of New  
Mexico.

SANTA FE, N. M., May 13.—The Pueblo Indians at Taos are on the warpath and the Governor has ordered the militia to the scene by special trains. The Indians have been ugly for a long time because of the prosecution of members of the tribe for liquor selling and other violations of law.

They openly rebelled when the census enumerators appeared, but were temporarily mollified. An arrest for cattle stealing stirred them again, and yesterday a band of armed Pueblos made a raid on ranchers north of the reservation. They cut fences, drove off stock and made an assault on Mrs. Miers, wife of a homesteader.

Associate Justice McFie is holding court at Taos and he appealed to the Governor at Santa Fe to-day for troops, saying the outbreak had assumed alarming proportions, with people barricaded in their homes and the Indians in full possession of the ancient village.

Telephone and telegraph wires have been cut by the renegades and news is meagre.

Adjt.-Gen. Brooke ordered Company H of Las Vegas, the crack organization of the Territory, to go to Taos by special train, and the troops, recently a cavalry organization, are expected to make short work of suppressing the outbreak.

CITY TO SELL REAL ESTATE.

Mayor of Milwaukee Has Plan to Boom  
City and Make Money.

MILWAUKEE, May 13.—Mayor Seidel has evolved a scheme designed not only to increase the prestige of Milwaukee as a manufacturing city, but to bring many dollars to the municipal treasury.

He would have the city of Milwaukee go into the real estate business and handle manufacturing sites as well as residence property. Buying acreage at low prices, Mayor Seidel would have the city plot the land in accordance with his plans for increasing railroad facilities and resell it for factory sites at a comfortable margin of profit that would produce a revenue for the city. He would construct what railroad men designate as "leads" to sidetracks running between the factories.

Provision would be made by Mayor Seidel not only for handling produce by rail but by teams. Each factory would be designed with accommodations similar to those of freight houses. On one side would be a railroad track, on the other a long stretch of street for teaming.

Streets for through traffic would occur only at intervals of 1,000 feet, making each block 1,000 by 1,000 feet in size.

ROYAL YACHT CRIPPLED.

King George of Greece Was on Board,  
Hurrying to London.

Special Cable Dispatch to THE SUN.  
CORINTH, May 13.—The royal Greek yacht with King George and his four sons on board while proceeding to Venice en route to King Edward's funeral broke down off Valona.

A German steamer has left Corfu to take off the party.

NOT AN ACT OF GOD.

Even Had It Been It Would Have Been  
Subject to Review by the Jury.

TRENTON, N. J., May 13.—The Newark Meadows Improvement Company and Joseph H. Wells, master of the tug John E. Gaylor of New York, and Giuseppe Fijio were convicted in the United States District Court to-day of unlawfully dumping mud in the lower channel of New York Bay. There was a heavy sea running when the offense was committed and this had broken the fastening of the pocket on the large which the tug was towing.

Fijio thought his time was come, and shouting, "I die! I die!" he jumped two pockets of mud into the bay.

The Court's interpretation of the law was that no defense could be successfully interposed unless the dumping of refuse into the channel had been occasioned by an act of God, and even that, it appeared from the charge, would be subject to review by the jury.

POLICE DOGS FOR CHICAGO.

Chief Healy Says No After Seeing Them  
of Paris Being Trained.

Special Cable Dispatch to THE SUN.  
PARIS, May 13.—Chief of Police Healy of Chicago to-day visited the headquarters of the Paris police dogs at Montreuil.

He passed hours watching the dogs being trained and making dummy arrests.

He said the use of police dogs would be adopted in Chicago.

CRUISER NEW YORK AT TOULON.

Salutes Exchanged With French Ship—  
Lots of Shore Leave.

Special Cable Dispatch to THE SUN.  
TOULON, May 13.—The United States cruiser New York arrived here to-day. Salutes were exchanged. General shore leave was granted to the crew.

The inhabitants are preparing a series of fêtes for the officers and men.

TOOK A DEAD MAN'S NAME.

And in That Way Secured a Job in the  
Department of Docks.

Richard Lanigan of 618 East Sixteenth street was accused in the Tombs court yesterday of personating a man who though he has been dead more than five years was nevertheless on the civil service list and payroll of the Department of Docks and Ferries up to last March.

TO MAKE SHIPS SAFE IN FOG

LA PROVENCE EQUIPPED WITH  
A NEW WIRELESS FINDER.

Position of Other Ships That Answer Its  
Signal Told at Once—Capt. Poncelet  
Able to Locate Other Liners Which  
He Passed, Even in Thick Weather.

Capt. Poncelet of the French liner La Provence, swiftest of Gallic merchantmen, got in last night after a foggy and rough passage from Havre jubilant over a new wireless contrivance that he declares enabled him to find out in the fog the exact position relatively of any ship with which he could get into wireless touch and also to get his bearings with greater accuracy than he could when in touch with the submarine bells of lightships.

The apparatus is the invention of two Italian naval officers and is called the Bellini-Tosi system of radio telegraphy. The French Government has equipped a station with this system at Boulogne, and while the Provence was less than half a day out from Havre she communicated with the Boulogne plant and got her exact bearings from it and its bearings from her.

The recording device consists of a dial with all the points of the compass. An indicator manipulated by the thumb and forefinger of the skipper by a little knob is turned until the sound that comes by wireless is strongest. Where the indicator points shows the direction from which the wireless message comes. Of course the indicator is connected with the wireless plant and the skipper or whoever has charge of the apparatus has receivers at his ears to judge when the sound is strongest.

Capt. Poncelet said that he had no trouble in locating the exact positions of the Potsdam, which he passed going east in thick weather; the Chicago, also bound the other way, and the Lorraine, for Havre. Capt. Poncelet said he believed that the new system would be adopted finally by all lines, as it had been proved all right by the exhaustive experiments he had made with it on the Provence.

He said the line had made a previous experiment with the system on a freighter and had been convinced that the apparatus would be an acquisition to the passenger ships, adding enormously to the safety of liners in time of fog, particularly off the Banks.

He had no trouble getting the exact bearing of Sable Island and satisfied the wireless operator that the apparatus was a success. He had practically the same experience with Cape Race. As these stations are not fitted with the apparatus they could not tell his direction from them.

The captain said he believed the contrivance told the direction of a station or ship equipped with wireless within a point and that he believed collisions at sea between vessels fitted with such direction finders would be impossible in fog or shine. He looks on the system as likely to revolutionize transatlantic navigation, already made safe except in thick weather by the ordinary wireless, not to mention the submarine bell system.

Among the passengers by the Provence was G. Fara Forti, the newly appointed Italian Consul-General here, who was formerly Consul at Pittsburgh and Philadelphia.

MOTHER AND CHILD KILLED.

Little Girl Ran in Front of Car and  
Parent Tried to Save Her.

A car of the Graham avenue line in Williamsburg yesterday killed four-year-old Freda Rosenberg in front of her parents' home at 406 Graham avenue, and mortally injured the child's mother, Mrs. Cella Rosenberg, when she tried to save the child.

The father of the child has a paint store. He left his shop early in the morning on a business trip, leaving his wife in charge. An ice cream vendor came along on the opposite side of the street and Freda, who was an only child, asked her mother for a penny. When it was given to her she set out to cross the roadway.

Mrs. Rosenberg watched her feet inside the store.

As the child got between the north-bound rails a Greenpoint bound car in charge of Motorman Frank Burnell came rapidly around a sharp curve. Burnell shut off the power and put on the brakes, but he couldn't stop the car. Meanwhile the child's mother saw the danger the child was in and rushed to her aid. Just as Mrs. Rosenberg seized the little girl the car struck both and they fell. The child was caught under the wheels and instantly killed. Mrs. Rosenberg's legs were cut off at the thighs.

Several thousand people gathered around the car. The police had to use force to disperse the crowd. Mrs. Rosenberg was taken to St. Catherine's Hospital, where she died last evening. The motorman was arrested.

RETIRED SEA CAPTAIN HURT

When Fire Captain's Runabout Sideswiped  
His Wagon.

Capt. Joseph Glevner, a retired sailor who for many years has lived at City Island, received injuries which probably will result fatally when the light express wagon which Capt. Glevner was driving yesterday afternoon by a runabout driven by Capt. John Trainer of Engine 26, attached to Fire Headquarters in East Sixty-seventh street.

Both vehicles were overturned by the collision and both the sea captain and the fire captain were thrown into the roadway. Capt. Glevner, who is 74 years old and lives at 284 City Island avenue, lay on the road unconscious, suffering from bad scalp wounds and probable internal injuries. Capt. Trainer crawled out of the wreck with a badly sprained right ankle and many bruises.

Capt. Trainer tried to do what he could for the unconscious sea captain, but finding that he could not bring him back to consciousness he righted the runabout and summoned help from Police Lt. Meade, on duty at the City Island station house, who in turn notified Fordham Hospital.

It was said at the hospital last night that in view of Capt. Glevner's age he probably would not recover from his injuries. Capt. Trainer refused to go to the hospital and drove to his home.

BEAR CUB FOR CENTRAL PARK.

He May Be Housed With Lion Cub if  
Their Tempers Agree.

Headkeeper Bill Snyder of the Central Park zoo got word on the telephone yesterday that if he wanted a bear cub for his collection he could have one. B. B. Lewis, a broker, living at 128 East Twenty-second street, told Snyder to send a man around to his house, for he had a very live young bear all ready for shipment. Keeper Kiernan was assigned to the job.

When Kiernan arrived at Mr. Lewis's house he found a small black bear in a small wooden box. The bear snarled and fumed when the keeper tried to be friendly. Mr. Lewis said that he didn't know much about bears and that this particular one was a gift that he wanted to get rid of.

After a great deal of trouble Kiernan managed to land the cub at the park. Bill Snyder wanted to put it in the cage with the cub lion, but the youngster was in such a bad humor that Snyder decided to wait. Perhaps to-day the bear and the lion cub may make a happy family, but it all depends on young brunt's temper.

WIDE JURY FAILS TO REACH A VERDICT.

KANSAS CITY, May 13.—At 12 o'clock the Hyde jury was locked up for the night, having failed to reach a verdict.

FOR LOSS OF APPETITE—Halt a Stomach

Went to Acid Phosphate after meals stopped  
appetite, strength and vitality.—Ad.

KILLED IN AUTO RACE.

William F. Bradley, a Mechanic on Racing  
Car, Victim at Brighton Beach.

There was a serious accident in the twenty-four hour automobile race at Brighton Beach racetrack early this morning. At 12:18 o'clock the Marion car ran off the track into the infield on the lower turn into the homestretch.

Gilbert Anderson was driving the car and was not injured. William F. Bradley, the mechanic, tumbled on his head and the track surgeon said his skull had probably been fractured. The car rolled over three times.

Bradley's head was dressed at the field hospital and he was hurried to the Emergency Hospital at Coney Island, where he died shortly after.

There was a lot of excitement when the accident occurred, as Strang's name was still displayed on the big board where the drivers' names were posted. The ambulance was sent up to get the man, and it was not until it returned to the hospital tent that the score board man got busy and substituted Anderson's name for Strang's after receiving word from the hospital that Anderson had been driving.

Bradley was 29 years old, and lived at 11 Halsey street, Newark. He was married.

SERVANT SUES FOR SLANDER.

Because Defendant Told Employer She  
Was "Drunk and Crazy."

Anne Lynott, a servant employed by Walter C. Taylor, sued Dane A. Pearson for \$10,000 damages for slander on the ground that he told her employer she was "both drunk and crazy, out late at night, and a very untidy person."

She alleges that these statements damaged her in her calling as a servant, having acquired a reputation "in said business for probity and fair dealing and uprightness of character."